

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS**  
**Minutes of May 25, 2016 Rules Committee Meeting**  
William P. Hobby Jr. Building, 333 Guadalupe Street  
Tower II, Conference Room 350-L  
Austin, TX 78701

**AGENDA ITEMS**

**DESCRIPTIONS**

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| <b>1.<br/>Call to Order</b>   | Mr. Anastos called the meeting of the Rules Committee to order at 1:35 p.m.  |
| <b>2.<br/>Roll Call</b>   | Mr. Anastos called the roll and declared a quorum of the Committee was present.<br><u>Present Committee Members:</u><br>Charles (Chuck) Anastos, Chair<br>Michael (Chad) Davis<br>Sonya Odell<br>Jennifer Walker<br><u>TBAE Staff Present:</u><br>Julie Hildebrand, Executive Director<br>Lance Brenton, General Counsel<br>Jack Stamps, Managing Investigator<br>Mike Alvarado, Registration Manager<br>Glenn Garry, Communications Manager<br>Katherine Crain, Legal Assistant<br><u>Public Members Present:</u><br>Debra Dockery<br>Donna Vining<br>David Lancaster |
| <b>Excused and Unexcused<br/>absences</b>   | None.  |
| <b>3.<br/>Public Comment</b>  | None.  |
| <b>4.<br/>Approval of minutes of<br/>the February 23, 2016<br/>meeting of the Rules<br/>Committee</b>                                   | A MOTION WAS MADE AND SECONDED (Davis/Odell) TO APPROVE THE MINUTES FROM THE FEBRUARY 23, 2016 RULES COMMITTEE MEETING. THE MOTION PASSED UNANIMOUSLY.   |
| <b>5.<br/>Discussion of<br/>contemplated changes<br/>regarding<br/>administrative<br/>penalties, warnings,<br/>and other sanctions.</b> | Mr. Brenton presented information on the proposed rules as described on page 4 of the Board materials and Staff's recommendation that the Board approve the draft amendments for approval in the register<br><br>A MOTION WAS MADE AND SECONDED (Davis/Walker) TO APPROVE DRAFT AMENDMENTS TO 22 TEX. ADMIN. CODE §§1.174, 3.174, 5.184, 1.177, 3.177, 5.187, 1.232, 3.232, AND 5.242 FOR PROPOSAL AND PUBLICATION IN  |

**Rules 1.174, 3.174, 5.184, 1.177, 3.177, 5.187, 1.232, 3.232, and 5.242.**

THE TEXAS REGISTER, WITH AUTHORITY FOR THE GENERAL COUNSEL TO MAKE EDITORIAL CHANGES AS NECESSARY TO CLARIFY RULE AND BOARD INTENT AND TO COMPLY WITH THE FORMATTING REQUIREMENTS FO THE TEXAS REGISTER. THE MOTION PASSED UNANIMOUSLY.

**6.  
Discussion of comments received regarding proposed amendments to Rule 1.22, relating to educational requirements for eligibility for architectural registration by reciprocity**

Mr. Brenton presented information on the proposed rule as described on page 50 of the Board materials, including the comments on the proposed rule, and Staff's recommendation to withdraw the previous rulemaking action, and to propose the alternative rule on page 52. There was a lengthy discussion by the committee members and the audience on this proposed rule change.

A MOTION WAS MADE AND SECONDED (Davis/Walker) TO MOVE TO WITHDRAW THE PREVIOUSLY PROPOSED AMENDMENTS TO 22 TEX. ADMIN. CODE §1.22, AND MOVE TO APPROVE THE ALTERNATIVE DRAFT AMENDMENTS TO 22 TEX. ADMIN. CODE §1.22 FOR PUBLICATION IN THE TEXAS REGISTER, WITH AUTHORITY FOR THE GENERAL COUNSEL TO MAKE EDITORIAL CHANGES AS NECESSARY TO CLARIFY RULE AND BOARD INTENT AND TO COMPLY WITH THE FORMATTING REQUIREMENTS OF THE TEXAS REGISTER. THE MOTION PASSED UNANIMOUSLY.

**7.  
Discussion of potential need for rulemaking resulting from 2016 Annual Meeting of NCARB**

Ms. Hildebrand explained that the following resolutions will be heard at the June NCARB meeting and will be up for adoption at that time. Most of them will not require any rule changes for TBAE.

The Committee discussed the following resolutions:

- Mutual Recognition Arrangement with Australia and New Zealand;
- Revision of the Alternatives to the Education and Experience Requirements for Certification;
- Exam Equivalency for ARE 5.0;
- Five-Year Rolling Clock and Rolling Clock Extension Policy Updates;
- Access to the ARE for Students Enrolled in an Integrated Path to Architectural Licensure Option;
- Addition of Architect Emeritus Status to Legislative Guidelines and Model Law;
- Addition of Reference to Military-Trained Applicants to Legislative Guidelines and Model Law;
- Updating the Name of the Intern Development Program;
- Updating Name of Internship Committee; and
- Changes to Program Requirements for the Intern Development Program.

Ms. Hildebrand pointed out to the Committee that the resolution regarding access to the ARE for Students Enrolled in an Integrated Path to Architectural Licensure Option would require a legislative change for Texas and Mr. Lancaster stated that his organization would like to be engaged in the discussions. Mr. Anastos stated that it would be unwise to make

legislative changes right now to the Board's enabling laws. Ms. Hildebrand emphasized that the Board was voting to change the model law for NCARB, but were not voting to accept the integrated path to licensure in Texas.

NO ACTION WAS TAKEN BY THE COMMITTEE.

**The Committee took a break at 3:12 p.m. and reconvened at 3:23 p.m.**

**8.  
Discussion of  
qualification for interior  
design registration by  
architects who pass the  
Architect Registration  
Examination. Rules  
5.31 and 5.51.**

Mr. Brenton presented provided information to the Board as described on page 68 of the materials.

Ms. Vining gave a presentation on the history of the legislation to the Committee.

A MOTION WAS MADE AND SECONDED (Davis/Walker) TO ASK STAFF TO DEVELOP LANGUAGE TO EXCLUDE THE ARE AS A QUALIFYING EXAM FOR INTERIOR DESIGN EFFECTIVE DECEMBER, 31 2018. THE MOTION PASSED UNANIMOUSLY.

**9.  
Discussion of  
application of  
International  
Residential Code to  
unincorporated areas  
10.  
Adjourn**

Mr. Brenton presented information on this topic as described on page 123 of the materials. No recommended action or draft amendments were considered.

A MOTION WAS MADE AND SECONDED (Davis/Walker) TO ADJOURN THE MEETING AT 4:19 P.M. THE MOTION PASSED UNANIMOUSLY.

APPROVED BY THE BOARD:



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CHARLES "CHUCK" ANASTOS, Chair of Rules Committee  
TEXAS BOARD OF ARCHITECTURAL EXAMINERS